

***IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA***

<i>TONY DELGUERICO and LEIGH DELGUERICO</i>	:	<i>CIVIL ACTION</i>
	:	<i>No. 02-CV-3453</i>
<i>and</i>	:	
<i>DELGUERICO'S WRECKING & SALVAGE</i>	:	
	:	
<i>Plaintiffs,</i>	:	
<i>v.</i>	:	
<i>SPRINGFIELD TOWNSHIP, et al.</i>	:	
	:	
<i>Defendants.</i>	:	
	:	

***PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANTS
SPRINGFIELD TOWNSHIP, JEFFREY MEASE, PETER LAMANA, RODNEY WIEDER,
JAMES HOPKINS, ROBERT ZISKO AND CHARLES HALDERMAN, JR.***

Plaintiffs hereby request entry of default pursuant to Rule 55(a) of the Fed.R.Civ.P against Defendants Springfield Township, Jeffrey Mease, Peter Lamana, Rodney Wieder, James Hopkins, Robert Zisko and Charles Halderman, Jr., ("Defendants") and in support thereof aver as follows:

1. Plaintiffs began this action by Complaint on May 30, 2002.
2. Defendants responded to Plaintiffs' Complaint by filing a Motion to Dismiss on August 22, 2002.
3. On November 26, 2002, Defendants' Motion was granted in part and denied in part by Order of Judge John R. Padova. As of the same date, the case was placed on the suspense docket.

4. On April 2, 2004, the case was removed from the suspense docket by Judge John R. Padova.

5. Defendants have failed to file an answer or other response to Plaintiffs' Complaint as required by the Fed.R.Civ.P., following the entry of the Order denying their Motion to Dismiss.

6. Rule 55(a) of the Fed.R.Civ.P. provides that "when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these Rules, and that fact is made to appear by affidavit or otherwise, the Clerk shall enter the party's default".

7. Defendants have failed to plead or otherwise defend as provided by the Rules of Fed.Civ.P. and, therefore, pursuant to Fed.R.Civ.P. 55(a), an entry of default should be entered by the Clerk.

WHEREFORE, Plaintiffs respectfully request the accompanying entry of default be entered against Defendants.

Respectfully submitted,

MARK D. CHIACCHIERE
Attorney for Plaintiffs
Tony DelGuerico, Leigh DelGuerico and
DelGuerico's Wrecking & Salvage, Inc.

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